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Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

Proposed changes to Fig. 1 are submitted herewith to overcome the objections thereto.

Claims 1-7 have been canceled in favor of new claims 8-15, which better define the subject matter Applicant regards as the invention. Support for the features recited in claims 8-15 is provided in the original claims, Figs. 1 and 2, and the specification on pages 7-14. Claims 8-15 have been drafted to avoid the issues underlying the 35 USC §112, second paragraph, rejections of claims 1-7.

Claims 1-7 were rejected, under 35 USC §102(b), as being anticipated by Ivanov et al. (US 4,267,496). To the extent these rejections may be deemed applicable to new claims 8-15, the Applicant respectfully traverses.

Ivanov describes a device for damping oscillations, for example, in a helicopter transmission test system. In the embodiment of such a test system illustrated by Fig. 12, the device aims to dampen oscillations in a transmission (22) driven by an electric dc motor (15). A generator (14) is coupled to transmission (22) to produce loading moments in the transmission.

On the one hand, Ivanov's system includes a regulation means (16-20) for regulating the speed of electric dc motor (15). On

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the other hand, this system includes means (23-29) for producing determined loading moments in transmission (22). The speed regulation means (16-20) are distinct from the means (23-29) for producing loading moments. A moment transducer (3) outputs a signal that is provided to a corrective assembly (5) so as to generate a correcting signal that is injected to both a controlled drive (1) and an actuator (4).

Applicant notes that Ivanov's means (20) do not supply a preset value. Instead, means 20 is a speed transducer (see Ivanov col. 14, line 52). This speed transducer of means (20) is only aiming to allow for the speed of electrical engine (15) to be regulated by the means (16-20). The dynamic stability is obtained based upon the output of a moment transducer or sensor (3), the latter being distinct from the speed transducer (20), that is received by the corrective assembly (5).

Ivanov does not describe how to stabilize a helicopter drivetrain, which includes a transmission and a turbine engine whose rotational speed is regulated. Ivanov also fails to describe how a measured speed NTL, determined by a sensor, is used both for dynamically stabilizing the helicopter drivetrain and for regulating the rotational speed of the turbine motor.

In accordance with the above discussion, Applicant submits that Ivanov does not anticipate the subject matter defined by

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independent claims 8 and 9. Therefore, allowance of claims 8 and 9 and all claims dependent therefrom is warranted.

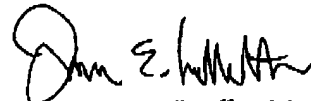
The Office Action states that, although the operation of Ivanov's device may differ from the claimed device, only structural differences are pertinent to an apparatus claim. In response, the Applicant submits that neither the original claims nor the new claims recite an operational use for a device. Instead, both the original and new claims recite functional limitations and these functional limitations must be given weight in making a determination as to the novelty and non-obviousness of the claimed subject matter, regardless of whether the functional limitations are recited in an apparatus or method claim (see MPEP §2173.05(g)). A functional limitation recited in an apparatus claim necessarily limits the structure of the claimed apparatus whenever some cooperation exists between the functional limitation and a structural feature of the apparatus. Applicant respectfully submits that the Office Action's reliance on MPEP §2114 is misplaced, since §2114 relates to the use of functional language to describe an operational use for a claimed apparatus rather than functional language that limits the structural features of the apparatus.

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In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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JEL/DWW/att

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